

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Victor Bernard Jones,

Case. No. 22-CV-1490 (JMB/DJF)

Petitioner,

v.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

B. Eischen, *FPC Duluth, Warden,*

Respondent.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Judge Dulce J. Foster dated December 29, 2023. (Doc. No. 18.) The R&R recommends that Petitioner Victor Bernard Jones's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. 1) be denied and the matter be dismissed without prejudice because Jones failed to exhaust his administrative remedies and because his requests are moot. Jones did not file any objections to the R&R.

In the absence of timely objections, the Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error and adopts the R&R.

Based on the foregoing analysis, the R&R, and all the files, records and proceedings herein, IT IS HEREBY ORDERED that:

1. The R&R (Doc. No. 18) is ADOPTED;
2. The Petition for Writ of Habeas Corpus (Doc. No. 1) is DENIED; and
3. This matter is DISMISSED without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 2, 2024

s/Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court